

## **DETAILED ACTION**

### **Supplemental Action**

This is a supplemental action acknowledging the receipt of IDS filed  
**3/31/08.**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dion Ferguson on 03/27/08.

In the Claims:

#### **Claim 1 (replace previous claim 1 with the following):**

A random number selector using a selection ball, comprising:

    a first selector, provided with a passage and a plurality first pockets each associated with a symbol and operable to receive the selection ball;

    a second selector, provided with a plurality of second pockets each associated with a jackpot and operable to receive the selection ball;

    a guide member, which guides the selection ball which has been passed through the passage in the first selector to the second selector;

and wherein the guide member is vertically movable in a space between a first position operable to guide the selection ball which has been passed through the passage to the second selector and a second position operable to guide the selection ball which has been passed through the passage to a recovery port through which the selection ball is recovered to an initial position.

**Claim 4 is cancelled.**

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

Patentability seen in, although not limited to Independent Claim 1: The apparatus comprising a random number selector using a selection ball. The apparatus further comprising a first selector comprising a passage and a plurality of first pockets each associated with a respective symbol and operative to receive the selection ball; a second selector comprising a plurality of second pockets each associated with a respective jackpot and operative to receive the selection ball; a guide member, which guides the selection ball which has passed through the passage in the first selector to the second selector; and the guide member being vertically movable in a space between a first position guiding the selection ball which has passed through the passage of the first selector to the second selector and a second position operable to guide the selection ball which has passed through the passage of first selector to a recovery port through which the selection ball is recovered to an initial position. The closest prior art of record

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does not teach or fairly suggest the claimed apparatus in combination.

Malavazos et al (US 5,553,851) teaches a random selector wheel including a selection ball comprising a first selector including a plurality of pocket each associated with a symbol or outcome wherein some symbols are associated with a pass outcome comprising a passage of the selection ball (guide member) to a second selector comprising a plurality of outcome or symbol pockets. However, Malavazos fails to teach a plurality of pockets associated with a jackpot and more specifically a guide member being vertically movable in a space between a first position guiding the selection ball which has passed through the passage to the second selector and a second position operable to guide the selection ball which has passed through the passage to a recovery port through which the selection ball is recovered to an initial position.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Reiner et al (US 3,853,324) teaches a bingo wheel comprising a first ball to select a bingo number and a second ball to select a bingo letter.**

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAMAR HARPER whose telephone number is (571)272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

/Ronald Laneau/  
Supervisory Patent Examiner, Art Unit 3714  
04/24/08